Remarks

This Amendment and the following remarks are intended to fully respond to the Final Office Action dated June 10, 2005 and subsequent Advisory Action mailed on August 29, 2005. In the Final Office Action, claims 1-11, 13 and 15-20 were examined, and all claims were rejected. More specifically, claims 1-11, 13 and 15-20 were finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Admitted Prior Art (APA) in view of Talluri et al. (USPN 5,961,606); and claim 11 was finally rejected under 35 U.S.C. § 103(a) as being unpatentable over Admitted Prior Art in view of Talluri et al., and further in view of Provino et al. (USPN 6,535,929). In the Advisory Action, the Examiner acknowledged Applicant's prior reply under 37 C.F.R. §1.116, while maintaining the final rejections.

In this Amendment, Applicant proposes amendments to claims 1, 5 and 9, canceling claims 6 and 11-20 and notes that these proposed amendments and cancellations are being made without prejudice in hopes of furthering prosecution of the present application to allowance. Additionally, claims 21-31 are hereby added into the application. With that said, reconsideration of this application is respectfully requested in view of the preceding amendments and following remarks.

A.   Claim Rejections in view of Talluri: Claims 1-5 and 7-10; New Claims 21-22

In general, independent claim 1 is directed to a method for managing memory within a distributed network that involves registering buffers for client applications on a per-session basis, as opposed to a per-request basis. As such, a single registered buffer may accommodate multiple requests from the client application. More specifically, the method recites registering a buffer of memory for use by a client application to perform a request and subsequently maintaining registration of the buffer to allow the client application to perform other requests using the registered buffer. Accordingly, the client application is not required to request re-registration of the buffer, thereby reducing communication traffic.

In contrast, Talluri teaches a "recycle" procedure in which a requesting client application may request that a buffer segment previously allocated to that application be made available for re-use by the client application. Importantly, Talluri teaches that the client application must explicitly request the use of the previously allocated buffer segment by way of a separate

communication. See Talluri, at col. 16, lines 9-10 ("the sending node can execute the RequestSegmentRecycle procedure"). As such, Talluri's recycle procedure is fundamentally different from Applicant's invention in that Talluri requires a concerted action on the part of the client application in order to re-use a previously allocated buffer segment.

While similar arguments were set forth in Applicant's Amendment in reply to the Final Office Action (filed on August 10, 2005), the Examiner issued an Advisory Action on August 29, 2005 maintaining the final rejections while acknowledging receipt of the Amendment and accompanying remarks. In particular, the Examiner stated, in the Advisory Action, that the features upon which Applicant relies to distinguish the present invention from Talluri are not recited in the rejected claims. See Advisory Action dated August 29, 2005, at pages 2-3. Consequently, Applicant hereby amends claim 1 to explicitly recite the maintaining act being performed "subsequent to performance of the request and in the absence of instruction from the client application program." Registration of the buffer for use by the client application is therefore recited in amended claim 1 to be accomplished only once (i.e., in response to a first request) and thereafter automatically maintained without any related communications being received from the client application.

Amended claim 1 thus addresses the Examiner's concern raised in the Advisory Action, and as such, is believed distinguishable over the relevant teachings of Talluri. For at least this reason, the combination of Applicant's admissions and Talluri fails to provide support for a prima facie case of obviousness over claim 1 and, consequently, claims 2-5, 7-10 and 21-22, which depend from claim 1. Accordingly, continued examination of these claims in view of at least the aforementioned amendment to claim 1 is respectfully requested.

B. New Claims 23-31

Like amended claim 1, independent claims 23 and 27 each recite an act in which registration of a buffer is maintained for use by a requesting client application program to perform subsequent requests. Furthermore, these maintaining acts are also recited as being performed "subsequent to performance of the request and in the absence of instruction from the client application program." Thus, for the same reasons described above with connection to claim 1, the combination of Applicant's admissions and Talluri fails to provide support for a prima facie case of obviousness over claims 23 and 27 and, consequently, claims 24-26 and 28-31, which depend from claims 23 and 27, respectively.
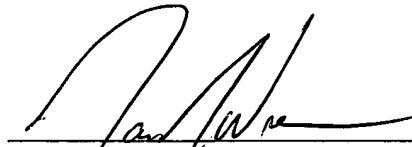
CONCLUSION

This Amendment is believed to be fully responsive to the Final Office Action mailed June 10, 2005. Still, the Final Office Action may contain other arguments that are not directly addressed by this Amendment due to the fact that they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this Amendment to directly address the arguments raised in the Final Office Action should not be taken as an indication that the Applicants believe the arguments to have merit. Accordingly, the preceding basis in favor of patentability is advanced without prejudice to any other bases of patentability.

Claims 1-5, 6-10 and 21-31 are pending in this application and are believed to be clearly allowable over the cited prior art upon which the final rejections are based for at least the reasons stated herein. Accordingly, continued examination of this application is earnestly requested. Should the Examiner have any remaining questions or concerns, he is encouraged to contact the undersigned attorney by telephone to expeditiously resolve such concerns.

Please find enclosed a Request for Continued Examination and accompanying fee due for entry and consideration of this Amendment. Also, because this Amendment is being filed after September 10, 2005, but prior to November 11, 2005, also enclosed herewith is a petition for a two-month extension of time under 37 C.F.R. §1.136(a) as well as a check in the amount of $450 in order to maintain pendency of this application. No further fees are believed due with this Amendment. However, if this is not the case, please charge any such fees to Deposit Account No. 13-2725. Alternatively, please credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

Dated: November 10, 2005

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